

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARIUS DE'MON LAKE,  
Plaintiff,  
v.  
JEREMY ROWE,  
Defendant.

No. 2:23-cv-1518 DJC AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 19, 2023, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 25. Plaintiff has filed objections to the findings and recommendations. ECF No. 26, 29. Defendant has filed a response to the objections, ECF No. 31, and Plaintiff has filed a reply, ECF No. 32.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be

1 supported by the record and by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed December 19, 2023 (ECF No. 25),  
4 are adopted in full.

5 2. This action is dismissed without prejudice. See Fed. R. Civ. P.41(b).

6 3. The Clerk of the Court is directed to close this case.

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8 IT IS SO ORDERED.

9 Dated: **February 2, 2024**

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE

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